

IN RE: PETITION FOR SPECIAL HEARING

SE/S Old Eastern Avenue, 360'

SW of Eastern Boulevard

15th Election District

5th Councilmanic District

(1923 Old Eastern Avenue)

Baltimore American Ice Co., Inc.

Petitioner

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 99-416-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for special hearing filed by the legal owner of the subject property, the Baltimore American Ice Co., Inc., by and through its President, William Ruppert. The special hearing request is for property located at 1923 Old Eastern Avenue requesting approval of a non-conforming use to allow a service garage in an ML zone. The petition was prepared and filed by John B. Gontrum, attorney at law.

Appearing at the hearing on behalf of the request were: Scott Rouk, professional engineer with Morris & Ritchie Associates, the engineering firm who prepared the site plan of the property. Hurley Anderson and John Sisolak also attended the hearing as witnesses on behalf of the Petitioner. Rick Impallaria, the contract purchaser of the property also appeared. There were no protestants or other persons at the hearing,

Testimony and evidence indicated that the property which is the subject of this special hearing request consists of 2.03 acres, more or less, split zoned ML and BL. The subject property is located on the east side of Old Eastern Avenue in the Essex area of Baltimore County. The subject property is improved with a 7,024 sq. ft. block building wherein the Petitioner, Mr. Impallaria, wishes to continue to operate his automobile service garage. Mr. Impallaria has had his business in the building for some time and is now desirous of purchasing the subject property from the legal owner. Prior to purchasing the property, Mr. Impallaria is

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Date

By

8/20/99

R. J. J. J.

seeking approval of the non-conforming use to allow him to continue to operate his automobile service garage business.

The testimony and evidence offered by the longtime residents at the hearing demonstrated that the subject property has been used as an automobile service garage for the past 40 years.

As with all nonconforming use cases, the first task is to determine whether a lawful nonconforming use existed on the subject property prior to the year in which a change in the zoning regulations caused the use of the property to become illegal. The controlling year in this case is 1970.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered nonconforming. See McKemy v. Baltimore County, MD., 39 Md. App. 257, 385 A.2d 96 (1978).

When the claimed nonconforming use has changed, or expanded, then the Deputy Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the nonconforming use, the Zoning Commissioner should consider the following factors:

- (a) To what extent does the current use of these lots reflect the nature and purpose of the original nonconforming use;
- (b) Is the current use merely a different manner of utilizing the original nonconforming use or does it constitute a use different in character, nature and kind;

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Date 8/20/99
By R. Jamison

(c) Does the current use have a substantial different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original nonconforming use."

McKemy v. Baltimore County, MD., supra.

The current Petitioner, Mr. Impallaria, has made considerable improvements to the subject property. He plans to renovate the exterior façade of the building and install a peaked roof. Before he invests these considerable monies into the project, Mr. Impallaria wanted assurances that his non-conforming use could continue. The changes that Mr. Impallaria has already made to the property have been a considerable improvement to the community. The uncontradicted testimony and evidence clearly demonstrated that the subject property has been utilized openly, continuously and without interruption as a automobile service garage for more than 40 years. After considering the testimony and evidence, I am persuaded to grant the special hearing.

Pursuant to the advertisement, posting of the property, and public hearing held, the Petitioner's request for special hearing to approve a non-conforming use for a service garage in an ML zone, be and is hereby granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of August, 1999 that the Petitioner's Special Hearing request for a non-conforming use for a service garage, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING

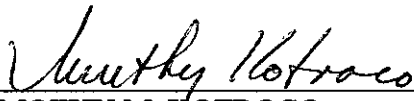
Date

8/20/99

By

R. Spence

2. Within one hundred twenty (120) days from the date of this Order, the Petitioner shall be required to renovate the façade of the existing building and install a peaked roof.
3. Within one hundred twenty (120) days from the date of this Order, the Petitioner shall be required to install a chain link screened fence with a rolling gate at the entrance to the storage yard of the subject property for screening and security purposes.
4. Petitioner shall be prohibited from storing any damaged or disabled vehicles in front of the subject building along Old Eastern Avenue. All vehicles to be serviced shall either be stored inside the building or in the storage yard located to the rear of the site.
5. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

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Date 8/20/99
By R. J. Jenson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 20, 1999

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, Maryland 21221

Re: Petition for Special Hearing
Case No. 99-416-SPH
Property: 1923 Old Eastern Avenue

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. William Ruppert
9654-A Belair Road
Baltimore, Maryland 21236

Mr. Rick Impallaria
232 Fosterknoll Drive
Joppa, Maryland 21085

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

Mr. Scott Rouk
Morris & Ritchie Associates
110 West Road, Suite 245
Towson, Maryland 21204

Mr. John Jarroll
17 Portship Road
Baltimore, Maryland 21221



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1923 Old Eastern Ave
9654-A BELAIR ROAD
which is presently zoned ML YBL

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

a nonconforming use to allow a service garage in a ML Zone.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City State Zip Code

Attorney For Petitioner:

JOHN B. GONTRUM

Name - Type or Print

Signature

ROMANKA, GONTRUM & MCLAUGHLIN

Company

814 EASTERN BLVD (410) 686-8274

Address

BALTIMORE, MD 21221

City State Zip Code

Legal Owner(s):

BALTIMORE AMERICAN ICE CO., INC.

Name - Type or Print

Signature

WILLIAM RUPPERT

Name - Type or Print

Signature

9654-A BELAIR ROAD (410) 256-0793

Address

Telephone No.

BALTIMORE, MD 21236

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

JJA

Date

4-21-99

Case No. 99-416-SPH

REC'D 9/15/98

ORDER RECEIVED FOR FILING
9/22/98

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Zoning Description
Baltimore-American Ice Co., Inc.
1923 Old Eastern Avenue
Fifteenth Election District
Fifth Councilmanic District
Baltimore County, Maryland

Beginning for the same at a point on the centerline of Old Eastern Avenue, the said point being 360 feet from the intersection of Old Eastern Avenue and Eastern Boulevard, Maryland Route 150, thence from the POINT OF BEGINNING so fixed, and leaving the said road, the following two courses and distances, viz:

1. South 02°02' 00" West, 98.00 feet,
2. South 48°47' 23" East, 86.55 feet,
3. North 64°19' 04" East, 96.94 feet, to the edge of Middle River, thence binding on said river the following course and distance,
4. South 21°49' 00" East, 148.06 feet, thence leaving Middle River, the following courses and distances, viz:
5. South 41°29' 00" West, 226.30 feet,
6. North 64°49' 00" West, 316.13 feet, to the aforementioned centerline of road, thence binding on said road, the following course and distance,
7. North 39°06' 00" East, 367.78 feet, to the POINT OF BEGINNING.

Containing 2.026 acres of land more or less.

BEING all that land shown on Baltimore County Tax Map 90, Grid 17, Parcel 31.

JH:mak's\11133\ensor.des\031699

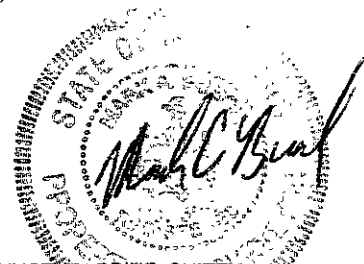
☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☒ 110 WEST ROAD, SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9792 (301) 776-1690
FAX (410) 792-7395

99-416-SPH

416



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **065442**

DATE 4-21-99 ACCOUNT Receivable

AMOUNT \$ 250.00

RECEIVED Robertson & Associates

FOR: Special Services

check

DISTRIBUTION
 WHITE - CASHIER
 PINK - AGENCY
 YELLOW - CUSTOMER

517.46

99-416-SPH

CASHIER'S VALIDATION

PAID RECEIPT
 4/21/1999 4/21/1999 10:55:31
 MISCELLANEOUS CASH RECEIPT
 Receipt # 002310
 Receipt Tot 250.00
 250.00 OK
 Baltimore County, Maryland

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #69-416-SPH
1923 Old Eastern Avenue,
SE/S Old Eastern Avenue, 360'
SW of Eastern Boulevard
15th Election District
5th Councilmanic District
Legal - Owner(s): Baltimore
American Ice Co., Inc.

Special Hearing: to approve
a nonconforming use to allow
a service garage in a M.L.
zone.

Hearing: Monday, June 7,
1969 at 2:00 p.m. in Room
407 County Courts Bldg.,
401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information concern-
ing the file and/or hearing,
Contact the Zoning Review Of-
fice at (410) 887-3891.

5/360 May 20 CS13461

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/20/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/20/, 1999.

THE JEFFERSONIAN,

S. Wilkins Jr.

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 99-416-A
PETITIONER/DEVELOPER:
[Balt. Amer. Ice Co. Inc.]
DATE OF Hearing
[Aug. 16, 1999]

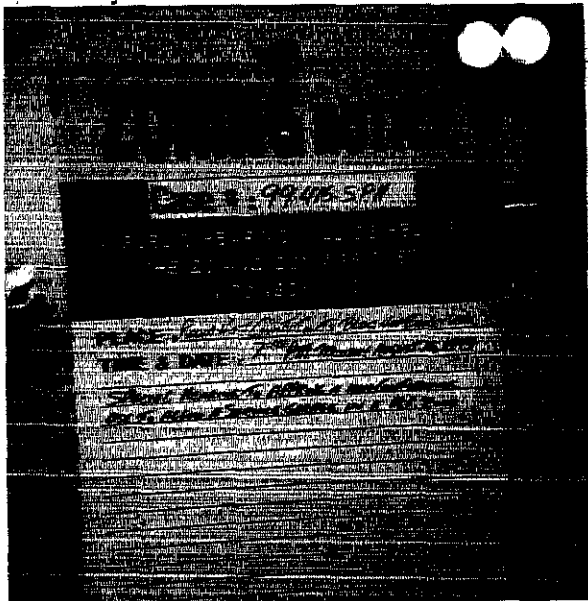
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
1923 Old Eastern Ave. Baltimore, Maryland 21221_____

The sign(s) were posted on _____ 7-27-99 _____
[Month, Day, Year]



Sincerely,

Thomas P. Ogle, Sr.
[Signature of Sign Poster & Date]

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ [410] 687-8405 _____
[Telephone Number]

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-416-SP4

Petitioner: BALT. AMERICA ICE CO.

Address or Location: 9654-A BELAIR RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ~~Remick~~, ~~Geoffrey~~ William Ruppert

Address: 9654-A Belair Rd.
BALTIMORE, MD. 21236

Telephone Number: 410-256-0793

Revised 2/20/98 - SCJ

416

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-416-SP4

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: TO PERMIT A NONCONFORMING USE OF A
SERVICE GARAGE IN AN M.L. ZONE.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 7, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-416-SPH
1923 Old Eastern Avenue
SE/S Old Eastern Avenue, 360' SW of Eastern Boulevard
15th Election District – 5th Councilmanic District
Legal Owner: Baltimore American Ice Co., Inc.

Special Hearing to approve a nonconforming use to allow a service garage in a M.L. zone.

HEARING: Monday, June 7, 1999 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: John B. Gontrum, Esquire
Baltimore American Ice Co., Inc.
John Jarroll

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MAY 23, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

A handwritten signature in cursive script, appearing to read "John B. Gontrum".

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

MAY 12 1999

TO: PATUXENT PUBLISHING COMPANY
May 20, 1999 Issue – Jeffersonian

Please forward billing to:

William Ruppert
9654-A Belair Road
Baltimore, MD 21236

410-256-0793

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-416-SPH

1923 Old Eastern Avenue

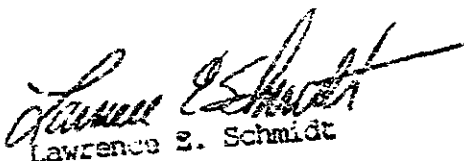
SE/S Old Eastern Avenue, 360' SW of Eastern Boulevard

15th Election District – 5th Councilmanic District

Legal Owner: Baltimore American Ice Co., Inc.

Special Hearing to approve a nonconforming use to allow a service garage in a M.L. zone.

HEARING: Monday, June 7, 1999 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

54
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 14, 1999

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Case Number 99-416-SPH, 1923 Old Eastern Avenue

The above matter, previously assigned to be heard on June 7, 1999 has been **rescheduled for Monday, August 16, 1999 at 2:00 p.m. in Room 407, County Office Building, 401 Bosley Avenue.** This date was confirmed with Jean in your office today.

As the person requesting the postponement, you are now responsible for affixing the new hearing date and time to the hearing notice sign posted on the property as soon as possible.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon" with a stylized flourish at the end.

Arnold Jablon
Director

AJ:scj

C: Baltimore Ice Company, Inc.
John Jarroll
Jeremy Rosendale, Inspector
Erroll Ecker, Inspector

Come visit the County's Website at www.co.ba.md.us



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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 28, 1999

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - JR and EE
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 416
PETITIONER: Baltimore American Ice Company, Inc.

VIOLATION CASE NO.: 99-0534 and 99-1161

LOCATION OF VIOLATION: SE/S of Old Eastern Avenue, 360' SW of
Eastern Boulevard (1923 Old Eastern Avenue)
15th Election District

DEFENDANT(S): Baltimore American Ice Company, Inc.

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

<u>NAME</u>	<u>ADDRESS</u>
John Jarroll	17 Portship Road Baltimore, MD 21221

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/jr/ee/lmh

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Time 6/17
PPD 8/16

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: May 11, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 1923 Old Eastern Avenue

INFORMATION:

Item Number: 99-416-Sp1

Petitioner: Baltimore American Ice Co. Inc.

Zoning: ML & BL

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The applicant's property suffers to a degree from deferred maintenance. In addition to the cleanup of trash present on the property, landscaping should be provided to enhance the site's appearance.

The Office of Planning supports the subject request provided that the following conditions are met: The applicant should submit a landscape plan and proposed sign details to this office for review and approval.

The applicant should contact Karin Brown, Fifth District Community Planner, at 410-887-3480 if there are any questions.

Section Chief:

Jeffrey W. L...

AFK/JL

RE: PETITION FOR SPECIAL HEARING
1923 Old Eastern Avenue, SE/S Old Eastern Ave,
360' SW of Eastern Blvd, 15th Election District,
5th Councilmanic

Legal Owners: Baltimore American Ice Company, Inc.

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-416-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of May, 1999, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 1, 1999

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Case Number 99-416-SPH, 1923 Old Eastern Avenue

The above matter, previously assigned for Monday, June 7, 1999 has been postponed at your request. This hearing will not be rescheduled, per Arnold Jablon, until you contact the zoning inspector and get dates that are agreeable with everyone involved in this case.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." followed by a stylized "scj" or similar initials.

W. Carl Richards, Jr.
Zoning Review Supervisor

WCR:scj

C: Baltimore American Ice Co., Inc.
John Jarroll
Jeremy Rosendale, Inspector
Errol Ecker, Inspector

Come visit the County's Website at www.co.ba.md.us



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**Department of Permits and
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

October 29, 2004

Mr. Rick Impallaria
232 Fosterknoll Drive
Joppa, Maryland 21085

RE: 1923 Old Eastern Avenue
Middle River, Maryland 21221 and 21220
15th Election District

Dear Mr. Impallaria,

This letter confirms the results of my discussion with Mr. Kotroco, Director of Permits and Development Management, after your telephone conversation with me on 10/28/04. Based on the review and comparison of the zoning hearing and proposed revised site plan as well as your statement that the boat repair uses were on site at the time of the zoning public hearing and the proposed pier will support the existing use, the following will be necessary to complete the zoning review.

In light of the lack of any reference in the hearing plan and order to the boat repair, a zoning "spirit and intent" letter and plan will be required. This must include: A red-lined revised copy of the zoning public hearing plan from case # 99-416-SPH showing all changes and uses as existing and proposed as they differ from the original plan. Confirm the accuracy of the revised plan in light of the changed stream location, which no longer agrees with the zoning hearing plan. Show compliance with all of Section 417 BCZR requirements for waterfront construction, etc. A letter detailing all changes from the hearing plan and listing in detail the number and size of watercraft to be located on site and on the pier as well as the reasons for their being on-site should accompany the plans. A \$50.00 fee payable to Baltimore County should also be included.

Once this information is received, a formal "spirit and intent" determination of compliance with the approved hearing approval plan and order can begin.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II
Zoning Review

Visit the County's Website at www.baltimorecountyonline.info



5/27/99
SJ

ROMADKA, GONTRUM & McLAUGHLIN, P.A.

814 Eastern Boulevard
Baltimore, Maryland 21221

(410) 686-8274
(410) 686-0118 FAX

ROBERT J. ROMADKA
JOHN B. GONTRUM
J. MICHAEL McLAUGHLIN, JR.*

* Also Admitted In the District of Columbia

May 24, 1999

Mr. Arnold Jablon, Director
Dept. of Permits and Development Management
County Office Bldg
111 W. Chesapeake Avenue
Towson, MD 21204

RE: RG&M File Name: William Ruppert
RG&M File No.: 99.3004
Case No.: 99-416-SPH
1923 Old Eastern Avenue
SE/S Old Eastern Avenue, 360' SW of Eastern Blvd
15th Election District - 5th Councilmanic District
Legal Owner: Baltimore American Ice Co., Inc.

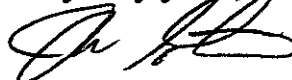
Dear Mr. Jablon:

Due to a scheduling conflict, I am requesting the hearing scheduled for June 7, 1999 at 2:00 P.M. be postponed, pursuant to the enclosed notice.

After said hearing has been rescheduled, please forward to my office notice of new hearing.

If you should have any questions, please do not hesitate to contact me.

Very truly yours,



John B. Gontrum

JBG/jmc
Enclosure

cc: William Ruppert
Inspector Jeremy Rosendale

99-1415

1923 OLD EASTERN AVE. PROPOSED MARINA

- ① Need Special Hearing to reduce the area of the nonconforming use and to determine no conflicts with section 104 BZR; while amending the order and plan in case # 99-416-SPH.
- ② Show compliance with section 417 (waterfront construction for this and all adjacent properties, and out of water storage facility requirements).
- ③ When filing for hearing follow the non-residential zoning Public Hearing checklist.

Tim.
* As you requested

TIM: THESE ARE THE RESULTS OF CARL'S AND MY REVIEW.

DO YOU WANT ME TO CONTACT MR IMPALLARIA, OR DO YOU WISH TO? PLEASE ADVISE.

JOHN LEWIS.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

1441111 P. ANDERSON

Pick Impellaria

John B. Sisoleh

Scott D. Bouk MORRIS
RITCHE, ASSC.

1229 MAJOR MARTIN DR

1317 KENNEDY DR 21060

232 Foster-Knell Dr 21085

7905 E. Baltimore St 21224-2011

110 W ROAD SUITE #245 TOWSON 21204



N 545,000

MIDDLE RIVER
MANOR

N 11,000

FENWAY

D.R.1

EASTERN

AVE.

RO

POINT OF BEGINNING
COORDINATE POINTS
N 604,790
W 1,469,630

SITE

ML

PIERS

MIDDLE RIVER

N 10,000

EASTERN

BUEDEL

BL

KITTYHAWK
ROAD

RO

BMB

PIERS

SCALE

1" = 200' ±

LOCATION

SHEET

MIDDLE RIVER

KINGSTON

N.E.

3-I

DATE
OF
PHOTOGRAPHY
JANUARY
1986

99-416-SPH

416.

RO 97-336-SP4



Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

PHOTOGRAPHS

